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Letter dated 20 November 2008 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

I have the honour of writing to you in your capacity as the President of the Security Council for the month of November 2008 to request your kind assistance in circulating the present letter and the attached statements of the Ministry of Foreign Affairs of Georgia dated 19 and 20 November 2008 (see annexes I and II) as a document of the Security Council.

(*Signed*) Irakli Alasania
Permanent Representative

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Annex I to the letter dated 20 November 2008 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia

The Geneva talks resumed on 18 and 19 November 2008. Meetings of the two working groups, on security and stability issues in Abkhazia and the Tskhinvali Region and the return of internally displaced persons and refugees, were held: participants took part in the deliberations on an informal basis in that individual capacity. The head of the provisional administration of the former South Ossetian Autonomous District, Mr. Dimitri Sanakoev, and the Chairman of the Government of the Autonomous Republic of Abkhazia, Mr. Malkhaz Akishbaia, participated in the working groups together with other representatives of the communities of the Tskhinvali Region and Abkhazia. These groups were also attended by the representatives of the proxy regimes. Deliberations, which were moderated by the United Nations, the European Union (EU) and the Organization for Security and Cooperation in Europe (OSCE), and attended by representatives from Georgia, the United States of America and the Russian Federation, were conducted in a positive working atmosphere.

At both working groups participants from the Government of Georgia, the community of the Tskhinvali Region/South Ossetia, Georgia and the community of Abkhazia, Georgia, raised the issues of Russia's non-compliance with the six-point ceasefire agreement, immediate access of international monitors and observers to the occupied regions as a first step towards de-occupation of those regions and the creation of new international security arrangements in the Tskhinvali Region and Abkhazia.

At the meeting of the working group on security and stability issues, participants from the Government of Georgia, the community of the Tskhinvali Region/South Ossetia, Georgia and the community of Abkhazia, Georgia, stressed the necessity of elaborating a new police and peacekeeping mission. Participants expressed their disappointment over the attack on the observers of the EU monitoring mission and continuous attempts to discredit OSCE activities. The moderators particularly emphasized the urgent need for the access of EU and OSCE monitors into the occupied territories, as well as the necessity to extend the mandates of the OSCE Mission to Georgia and the United Nations Observer Mission in Georgia (UNOMIG). Participants noted that it is essential to fulfil all the provisions of the 12 August six-point ceasefire agreement and to obtain the full withdrawal of Russian troops from the occupied territories of Georgia. Participants noted the extreme urgency of the withdrawal of Russian troops from the Akhalgori region and Upper Abkhazia, as well as the village of Perevi.

Participants from the Government of Georgia, the community of the Tskhinvali Region/South Ossetia, Georgia, and the community of Abkhazia, Georgia, brought issues to the attention of the working group on security and stability, including frequent lootings and kidnappings and attacks on Georgian law enforcement personnel and civilians, as a result of which 10 persons have been killed over the last two months. All participants agreed that the security situation on the ground remains highly volatile and that it should constitute the focus of the future

discussions in Geneva. Participants agreed in principle to elaborate a day-to-day incident prevention and management mechanism, to reflect upon a ceasefire/peacekeeping regime setting forth the rules for the minimal security framework along the administrative border and to establish crossing points in order to ensure that the movement of the local population is unhindered.

At the working group on internally displaced persons and refugees there was a general consensus that the internationally recognized right of the internally displaced persons to safe and dignified return to their places of residence shall be observed. Georgian participants emphasized that the access of international monitors to the occupied regions, the de-occupation of those regions and the elaboration of new police and peacekeeping mechanisms are essential steps towards elaborating secure environment permissive to the safe and dignified return of the internally displaced persons. It was also stressed that the Georgian villages, destroyed and looted after the August war, had to be restored and rehabilitated, inter alia, with the help of the international community. In this regard it was agreed to structure the deliberations around certain priority areas.

Co-moderators of the working group on internally displaced persons (the Office of the United Nations High Commissioner for Refugees and the European Commission) informed the participants that they are planning to visit Tbilisi, Tskhinvali and Sokhumi in the very near future to conduct an assessment of the existing situation. The Ministry of Foreign Affairs of Georgia hopes that international moderators will not have such artificial obstacles regarding access to the occupied regions as are currently being experienced by other humanitarian organizations.

During the above-mentioned meeting of the working group, particular emphasis was placed on the immediate, full and unhindered access for all humanitarian agencies to the population in need. The international community's strong belief that all humanitarian organizations shall have access to all relevant affected areas from the legal entry points appeared to be obvious.

The Geneva discussions demonstrated that the format had been well prepared and functioning. The Georgian side expresses its hope that the participants will continue to engage in future discussions in good faith, in order to contribute to establishment of the security environment in the Tskhinvali Region and Abkhazia and ensure that the internally displaced persons may return in a safe and dignified manner to their places of residence.

The Georgian side is looking forward to concrete proposals from the co-moderators based on the first day of work in the working groups and to the continuation of the talks on 17 and 18 December in both the plenary and working groups. We stand ready to cooperate intensively with the co-moderators and the participants of the working groups in order to move the peace process forward.

Tbilisi, 19 November 2008

Annex II to the letter dated 20 November 2008 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia

On 20 November 2008, the Russian occupation forces stationed in Abkhazia, Georgia, perpetrated another provocation against Georgia. At 6.45 a.m. two armoured personnel carriers followed by the armed formation of a proxy regime crossed over the administrative border from the occupied territory and opened fire towards the police checkpoint located in the nearby Ganmukhuri village. After 15 minutes of open fire the checkpoint and the nearby private building owned by a peaceful civilian were destroyed.

During their retreat, the Russian military forces mined the crossing points in the villages of Otobaia and Ganmukhuri. United Nations monitors were able to videotape the tracks of the Russian armoured personnel carriers, and European Union (EU) monitors also came to the site of the incident.

The incident was repeated at 10.30 a.m. Russians opened fire from a checkpoint located at the administrative border across Otobaia towards the Georgian checkpoint. During the attack, two military helicopters flew low over the village of Ganmukhuri; the two helicopters were caught on camera by EU monitors.

The above incidents underscore that the Russian occupying forces, together with armed formations of the proxy regime, continue to undertake terrorist acts against Georgian law enforcers and civilians in the vicinity of the occupied territories.

These were not isolated cases, but rather two more incidents in a long chain of provocations carried out by Russia. Such provocations, launched from within Russian occupied territories, have become a pattern and often end with casualties. This escalation of tensions undermines security, disrupts the normal rhythm of life and endangers local civilian population, as well as EU monitors stationed there.

Today's incident also forced the closure of schools in Ganmukhuri and Anaklia. It also is deeply worrisome that, inter alia, Georgian students in the occupied territories are denied their right to education in their mother tongue.

As the occupying power, the Russian Federation is fully responsible for provocations against Georgia that are conducted from within territories that Russia controls. The Russian side is also responsible for the human rights violations constantly taking place against the Georgian residents living in the occupied territories.

It is deeply to be regretted that this provocation by Russia was conducted against the backdrop of the just-concluded second round of Geneva peace talks, which represents progress in terms of resumption of the dialogue.

In order to ensure security in the conflict regions, it is imperative for Russia to comply with the six-point ceasefire agreement and withdraw its forces to their positions prior to 7 August. In addition, for the sake of avoiding further provocations, it is necessary for the EU and OSCE monitors to be able to monitor

the occupied territories in accordance with their mandate and to provide the international community with objective information about the situation there.

Georgia calls upon the international community to condemn Russia's provocations and to exert maximum pressure on Russia to fully comply with the ceasefire agreement. This is the only way to avoid a further escalation of the situation.

Tbilisi, 20 November 2008